



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Hideaki KATO, et al.

Serial No.: 10/753,870

Group Art Unit: - 2879

Filed: January 9, 2004

Examiner: Not Yet Assigned

For: LIGHT EMITTING DEVICE

Honorable Commissioner of Patents
Alexandria, Virginia 22313-1450

DECLARATION OF MARY C. GIBB

Sir:

I, Mary C. Gibb, hereby declare as follows:

1. I am Manager of the Docketing Department of the law firm of McGinn & Gibb, PLLC.
2. My duties as Manager of the Docketing Department require me to be intimately familiar with how the firm handles the mail, facsimile, and courier packages which arrive at McGinn & Gibb, PLLC.
3. Each business day (Monday-Friday), McGinn & Gibb, PLLC, receives a large volume of correspondence from the U.S. Patent and Trademark Office (PTO). That correspondence relates to patent and trademark applications being handled by McGinn & Gibb, PLLC, and includes Office Actions. Generally, since McGinn & Gibb, PLLC, is located in Vienna, Virginia, PTO correspondence is received by the law firm within one or

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Serial No.: 10/753,870
Docket No.: PTGF-03104
HIR.086

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two business days after the PTO mailing date, although sometimes it takes longer. All mail is received in the Docketing Department, including PTO correspondence. The PTO correspondence is handled as follows.

4. An individual employed in the Docketing Department of McGinn & Gibb, PLLC, receives all pieces of PTO correspondence before they are opened. That same individual opens each piece of correspondence from the PTO one at a time.

5. As the PTO correspondence is opened, an entry is made by that same individual by hand, in a docket book, for each such piece of correspondence requiring a response to be provided to the PTO by a certain due date. For example, a Notice to File Missing Parts of a Nonprovisional Application (NOMP) must be responded to within the response time specified therein (within two months of the mailing date), and so an entry would be made in the docket book on a due date for the required period of time for the NOMP and also six months after the mailing date of the NOMP (the last, non-extendable date). In the instant case, the notation for the two-month due date would have been "HIR.086 NOMP", and for the six-month due date would have been "HIR.086 NOMP (last day)". The docket record book for the address of record has been searched, and attached as Exhibit A to my Declaration are copies of the pages of the docket book for items having a due date of June 21 and October 21, 2004 (two months and six months from the alleged mailing date of the NOMP according to the NOMP in the PAIR file wrapper), as well as that of June 22 and October 22, 2004 (two months and six months from the alleged mailing date of the NOMP according to the Notice of Abandonment and the PAIR file history). As can be seen from Exhibit A, there is no entry for the above-identified application ("HIR.086 NOMP" or

“HIR.086 NOMP (last day)”) indicating that the NOMP in question was never received by McGinn & Gibb, PLLC.

6. Once a PTO NOMP received on a given date has been manually entered in the docket book as above described, the appropriate file for the PTO NOMP is pulled and matched up to that NOMP. The appropriate file and the PTO NOMP is then given to the secretary to the attorney responsible for handling the file.

7. On a weekly basis, a docket of cases due that week and the pertinent response due dates is given to each attorney and staff employee at McGinn & Gibb, PLLC. This docket is then double-checked with the docket maintained by individual secretaries. I have searched these docket record lists for the address of record, and there is no entry (“HIR.086 NOMP” or “HIR.086 NOMP (last day)”) for the above-identified application. Attached as Exhibit B to my Declaration are copies of the lists of the submitted cases due the weeks of June 20-26, 2004, and October 17-23, 2004. As can be seen from Exhibit B, there is no entry (“HIR.086 NOMP” or “HIR.086 NOMP (last day)”) relating to a PTO mailing of an NOMP in connection with the above-identified application.

8. Based on my review of Exhibits A-B, and on my personal knowledge of the procedures followed by McGinn & Gibb, PLLC, in the Docketing Department for handling PTO NOMP, a search of the docket records for the address of record, and a search of the file jacket, I conclude that no NOMP was received by McGinn & Gibb, PLLC, for the above-identified application.

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9. To date, the Notice of Abandonment mailed on January 12, 2005, has been the only PTO correspondence in the above-identified application received by McGinn & Gibb, PLLC.

Further Declarant saith not.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 3/11/05

Mary C. Gibb
Mary C. Gibb
Manager, Docketing Department

McGinn & Gibb, PLLC
8321 Old Courthouse Rd., Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254

2004 173rd day - 193 days follow
Summer begins

MONDAY **21** JUNE

U6B-163 ^{allowed}	4/2/04	FINAC (5mo.)	DAB
+ GUA.001		App due 8/21	SMM
3. HIR-017	allowed IF due 6/4		
+ YOR-160	and 6/21	FINAC (2mo.)	FEC
5/25 U6B-105		Interview Summary	FT2
+ DOB HIR-011		<u>IDS</u>	Smm
40R-52 ⁴⁷⁰	522 6/18	New Apps Bar Dates?	FEC

10/20/04 IGA-026 ad 6/21	FINAL (L-Day)	FEC
10/20/04 NEC-250 DIV	RESP. (L-Day)	JJD SMM
8/23/04 TAC-037	FINAL (L-Day)	JEH
5/21/04 WAK-032 ad 8/23 & X	FINAL (L-Day)	FEC
4/18/04 YOR-160	FINAL (L-Day)	FEC
5/17/04 FTTT-001	RESP. (L-Day)	SMM
5/8/03 ASH-004	FINAL (L-Day)	JEH
7/21/04 ALB-076	RESP. (L-Day)	PEM
5/20/04 UAT-035	RESP. (L-Day)	SMM
7/21/04 KOD-062	RESP. (L-Day)	SMM
10/21/04 KOD-052 ad 8/20	FINAL (L-Day)	JND
7/21/04 USH-019	RESP. (L-Day)	JJD SMM
10/21/04 X NAB-190 ad 7/30 & 8/23	FINAL (smo.)	JTD
ext X ORL-028	FINAL (smo.)	JTD
10/21/04 KYOR-432 PCT & 431 PCT	Chap II (19 minutes)	PEM
FMG-002 PCT	File Nat'l Storage	JPS
10/21/04 X NAB-186	Response	SMT JPS SMM
X S02-024 ad 10/21	FINAL (3 mo.)	JEH
ext X ACM-021	Response	JEH SMM
✓ X AMA-027 ad 10/5	FINAL (3 mo.)	JEH
ext X EBI-002	Resp.	JJD SA
abd MAR-062	Response	FEC SMM
10/21/04 X YOR-451	Response	SMT SMM
10/22/04 X SHH-032 DIV	Issue Fee	FEC
10/22/04 X AMA-001	Issue Fee	PEM
10/21/04 X AMA-059	Issue Fee	SMM
10/21/04 LTN-002	2X (OAC)	SMM
9/30/04 YOR-419	Response (1 mo.)	SMM
9/28/04 YOR-222	Response (1 mo.)	JND
10/21/04 TASH-005	Response (1 mo.)	FEC
10/21/04 X HUY-006	X Notice of Attn. Compliance	SMT

JUNE

22

TUESDAY

2004

74th day - 192 days follow

3/23 NEC. 259	Respt (Last Day)	SM	3/23
4/27 DEC. 032	Respt (Last Day)	PM	3/23
4/27 YOR. 459	AFEP	FE	4/27
4/27 FUJIT. 057	N Infecting Resp.	SM	4/27
4/27 N6B. 505	NCAP (1 Day)	Smm	4/27
4/27 RCE. 521	FINAL (Smo.)	PAB	4/27
4/27 JAT. EBI. 001	Response	JJD Smm	4/27
4/27 NEC. 173	Response	FEC	4/27
4/27 ORT. 036	Response	Smm	4/27
4/27 SHH. 031	Response	JNKSmm	4/27
4/27 N6B. 149	Issue Fee	PEM	4/27
4/27 N6B. 024	IF + DWG 04/26	JEH	4/27
7/1 SHH. 036 DLT	Issue Fee	FJZ	7/1
6/27 MAT. 007	Issue Fee	FEC	6/27
6/27 OAK. 094	Issue Fee	PEM	6/27
5/4 WAT. 039	IRS	Smm	5/4
ex ✓ DEC. 011	Revive	PEM	✓

ISSUE DATE:

6, 754, 259 YOR. 124 - JJD X
 6, 753, 765 KOB. 018 - JEH X
 6, 753, 991 K16B. 227 - Smm X
 6, 753, 688 FIS. 071 - FEC X
 6, 754, 051 I6A. 018 DIV - Smm X
 6, 754, 761 WAD. 210 - FFL X

1/22+ 17.058	Resp. (1 Day)	SMATR	7/2
6/29 y 17.048	Resp. (1 Day)	PARB	7/2
1/22 MGB-198	Resp. (1 Day)	Smm	7/2
1/21 FUJIT-014	Resp. (1 Day)	JEH	New
✓ + KAT 016 ad 9/29	FINAL (3mo.)	JEH	✓
1/22 CAS-001	Resp. (1 Day)	JPS	10/22
10/22 SHIM-008	Response	JEH Smm	✓
10/22 KOD-059	Response	FJR	✓
10/12 MAT-009	If change (1 Day)	JMD	9/2
abd + 1702-435 ad 9/22	FINAL (3mo.)	SMT	10/2
10/19 HGB-151	Response	JJD	
ext ✓ + FUJIT-023 COM	Response	FEC	
✓ KAT-016	FINAL (3mo.)	JEH	
10/22 + NGB-265	Response	SMT Smm	
7/22 KAS-001	Resp (1 Day)	JPS	
11/3 + FUJIT-006	Issue Fee	JJD	
10/21 AGB-128	Response (1mo.)	Smm	
10/22 ORT-084	IDS	Smm	
10/22 + ORT-085	IDS	Smm	
10/19 + ORT-086	IDS	Smm	
10/21 + ORT-087	IDS	Smm	
10/19 + FUJIT-023	IDS	FEC	
ext ✓ + FUJIT-023 Cont ^{going} abd:	IDS	FEC	

DOCKET

June 20-26, 2004

Please compare this with your personal docket!
Let us know if you have any changes or additions.

Add entries docketed after this docket is distributed.

Use this new docket if dates overlap with previous version.

Please immediately inform us of any additions that have not been processed in Docketing.

<u>DUE DATE</u>	<u>FILE</u>	<u>COMMENTS</u>	<u>ATTY</u>
Sunday, 6/20/04	HIR.087	IDS (6 mo. NOMP?)	SMM
	YOR.312	Final (2 mo.)	PEM
	YOR.174	Final (2 mo.)	FEC
	ALM.038	Final (2 mo.)	JJD
Monday, 6/21/04	GUA.001	New app due 8/21	SMM
	YOR.160	Final (2 mo.)	FEC
	YOR.521	New App (bar date?)	FEC
	YOR.527	New App (bar date?)	FEC
Tuesday, 6/22/04	DEC.011	Revive	PEM
	NGB.149	IF	PEM
	WAK.094	IF	PEM
	MAT.007	IF	FEC
	NEC.173	Response	FEC
	NGB.024	IF & Drawings	JEH
	SHI.036DIV	IF	FJZ
	SHI.031	Response	JND
	EBI.001	Response	JJD
Wednesday, 6/23/04	CLO.012	IDS (3 Mo. NOMP?)	SMM
	NGB.287	IF	SMM
	NGB.330	IF	SMM
	NGB.331	IF	SMM
	DEC.012	IF	PEM
	EBO.010US	NOMP 2 X	PEM

<u>DUE DATE</u>	<u>FILE</u>	<u>COMMENTS</u>	<u>ATTY</u>
	EBO.013	NOMP PCT 1 X	PEM
	NGB.087	Response	JEH
	NGB.095	Response	JEH
	YOR.132	Final (4 mo. amended 4/23)	JEH
	ONO.004	IF (last day)	JND
	ALM.049	Response	JJD
Thursday, 6/24/04	YOR.393	Final (3 mo.)	PEM
	YOR.397	Final (3 mo.)	FEC
	YOR.249	Response	PEM
	YOR.250	Response	JEH
	FUJ.029	Final (3 mo.)	FJZ
	FUJIT.009	IF (last day)	SMM
	NGB.084	Response	JEH
	NGB.240	IF (last day)	SMM
	IGA.029	Response	JND
	FUJI.005	IF	JND
	ORI.066	IF	JJD
Friday, 6/25/04	NGB.154	Response	PEM
	HIR.051	Response	JEH
	AMA.056	IF & drawings (last day)	SMM
	AMA.054	IF & drawings (last day)	SMM
	YAS.043	Response	JND
	YAN.018	IF (last day)	SMM
	NGB.062	Response	SMT
	NGB.225	IF	JEH
	YOR.531	Response	SMT
	FIS.065	Examiner's Answer 1 X	JEH
	FUJI.021	1 X	FEC
	SHIM.008	Response (1 mo.)	SMM
Saturday, 6/26/04	AMA.050	Response	JJD
	NEC.228	Response	JJD
	KUR.012	Final (3 mo.)	PEM

DUE DATE

FILE

COMMENTS

ATTY

NGB.082

Response

JEH

YOR.205

Response

FEC

BUR.006-3

Final (2 mo.)

JJD

NGB.248

Response (1 mo.) & Int. Sum.

SMT

FUJIT.061

1 X

PEM

TAK.042

IDS

JND

DOCKET

October 17-23, 2004

Please compare this with your personal docket!
Let us know if you have any changes or additions.

Add entries docketed after this docket is distributed.

Use this new docket if dates overlap with previous version.

Please immediately inform us of any additions that have not been processed in Docketing.

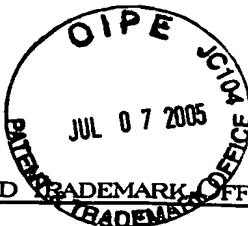
<u>DUE DATE</u>	<u>FILE</u>	<u>COMMENTS</u>	<u>ATTY</u>
Sunday, 10/17/04	HIR.105	IDS (NOMP recd?)	SMM
	NEC.230DIV	1 X	SMM
	NGB.160	Final (4 mo. amended 9/17)	PEM
	YOR.491	Final (4 mo. amended 8/17)	FEC
	HIR.049	Final (4 mo. amended 9/10)	JND
	IDE.003	2 X	JND
	NEC.273	1 X	JND
	NIS.062	2 X	JND
	FUS.053	Final (4 mo.)	JJD
	NEC.241CIP	1 X	SMT
	IPB.001	Final (5 mo. amended 9/13)	JPS
	VKR.001	Final (5 mo.)	JPS
Monday, 10/18/04	UNI.022	IF (last day)	SMM
	NEC.142	Final (4 mo.)	FEC
	NGB.122	Final (4 mo. amended 9/20)	JEH
	ONO.006	IF	JND
	NGB.085	IF	JJD
	BRAN.003EP	Annuity Fee (last day)	JPS
Tuesday, 10/19/04	WAK.116	IF	SMM
	EBOX.005US	NOMP (last day)	PEM
	MAR.069DIV2	IF (last day)	PEM
	YOR.523	Final (3 mo. amended 9/20)	JJD

<u>DUE DATE</u>	<u>FILE</u>	<u>COMMENTS</u>	<u>ATTY</u>
Wednesday, 10/20/04	NEC.263	IF	PEM
	YOR.160	Appeal Brief	FEC
	NTMI.001	File New Appl.	JEH
	ALM.038	Appeal Brief	JJD
	YOR.094	Final (2 mo.)	JJD
Thursday, 10/21/04	AMA.059	IF	SMM
	LIN.002	2 X	SMM
	AMA.001	IF	PEM
	YOR.432PCT	Chap. II (19 mos.)	PEM
	ASH.005	Response (1 mo.)	FEC
	SHI.032DIV	IF	FEC
	WAK.072	Final (last day amended 8/23)	FEC
	ALM.021	Response	JEH
	AMA.027	Final (3 mo. amended 10/5)	JEH
	SUZ.024	Final (3 mo.)	JEH
	KUD.052	Final (last day amended 8/20)	JND
	EBI.002	Response	JJD
	NEC.250DIV	Response (last day)	JJD
	NGB.140	Final (5 mo. amended 7/30 & 8/23)	JJD
	ORI.028	Final (5 mo.)	JJD
	NGB.126	Response	SMT
	NUV.006	Ntc. of Noncompliance	SMT
	YOR.451	Response	SMT
Friday, 10/22/04	KUD.059	Response	FJZ
	ORI.084	IDS 3 mo.	SMM
	ORI.085	IDS 3 mo.	SMM
	ORI.086	IDS 3 mo.	SMM
	ORI.087	IDS 3 mo.	SMM
	FUJIT.023	IDS	FEC
	FUJIT.023CON	Response	FEC
	FUJIT.023CON	IDS	FEC
	KAT.016	Final (3 mo. amended 9/29)	JEH
	SHIM.008	Response	JEH
	FUJIT.006	IF	JJD

<u>DUE DATE</u>	<u>FILE</u>	<u>COMMENTS</u>	<u>ATTY</u>
	NGB.265	Response	SMT
	YOR.435	Final (3 mo. amended 9/22)	SMT
Saturday, 10/23/04	HIR.072	Response (1 mo.)	SMM
	NGB.166	Final (4 mo. 1 X)	JND
	ALM.024	Final (2 mo.)	JJD
	MAS.001	Response	JJD



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/753,870	01/09/2004	Hideaki Kato	PTGF-03104

21254

MCGINN & GIBB, PLLC

8321 OLD COURTHOUSE ROAD JAN 13 2005

SUITE 200

VIENNA, VA 22182-3817

RECEIVED

H.L.R. 086
McGINN & GIBB, P.C.

CONFIRMATION NO. 6111

ABANDONMENT/TERMINATION
LETTER

OC000000014940528

Date Mailed: 01/12/2005

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 04/22/2004.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Request Wobley
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

EXHIBIT 1

AIR.086
Smminas

Serial Number: 10753,870

Attorney's Post Card Filing Receipt

Papers Filed On: 7/26/04

Attorney's Docket Number: PTGF-03104

☒ Patent

☐ Trademark

Applicant's Name: Kato et al
Papers Filed Herewith:

Application Filing Date: 1/9/04

☐ Amendment

☐ Request for Extension of Time

☐ CPA Request

☐ Notice of Appeal

☐ Appeal Brief (in triplicate)

☐ Reply Brief

☐ IDS

☐ 1449 Form w/ Documents

☐ Priority Document(s)

☐ Assignment

☐ Recordation Cover Sheet

☐ Formal Drawings

☐ Drawing Corrections

☐ Issue Fee Transmittal

☒ Request for Missing Parts

☐ Other

+ OFR

Fees Filed Herewith: \$

☐ Check

☐ Charge Deposit Account:

Hand Delivered

AIR.086
Smminas

Attorney's Post Card Filing Receipt

Serial Number: 10753,870

Papers Filed On: 7/26/04

Attorney's Docket Number: PTGF-03104

☒ Patent

☐ Trademark

Applicant's Name: Kato et al
Papers Filed Herewith:

Application Filing Date: 1/9/04

☐ Amendment

☐ Request for Extension of Time

☐ CPA Request

☐ Notice of Appeal

☐ Appeal Brief (in triplicate)

☐ Reply Brief

☐ IDS

☐ 1449 Form w/ Documents

☐ Priority Document(s)

☐ Assignment

☐ Recordation Cover Sheet

☐ Formal Drawings

☐ Drawing

☐ Issue Fee Transmittal

☒ Request for Missing Parts

+ OFR

☐ Other

Fees Filed Herewith: \$

☐ Check

☐ Charge Deposit Account:

Hand Delivered

Docket No. PTGF-03104
HIR.086

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Hideaki Kato et al.

Serial No.: 10/753,870

Group Art Unit: Unknown

Filing Date: January 9, 2004

Examiner: Unknown

For: LIGHT EMITTING DEVICE

Honorable Commissioner of Patents
Alexandria, Virginia 22313-1450

**REQUEST FOR NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION AND OFFICIAL FILING RECEIPT**

Sir:

Applicants respectfully request copies of the Notice to File Missing Parts of Nonprovisional Application and Official Filing Receipt in the above-identified application. As of this date, Applicants have not received copies of the Notice to File Missing Parts of Nonprovisional Application and Official Filing Receipt for this application which was filed on January 9, 2004. A copy of the date-stamped post card receipt is attached.

Respectfully submitted,



Sean M. McGinn
Registration No. 34,386

Date: 7/26/04
McGinn & Gibb, PLLC
Intellectual Property Law
8321 Old Courthouse Road, Suite 200
Vienna, Virginia 22182-3817
(703) 761-4100
Customer No. 21254

New Application Post Card Filing Receipt and Request for Early Notification of Serial Number

Attorney's Docket Number: PTGF-03/04 ☒ Patent ☐ Trademark
Applicant's Name: Kafo et al Application Filing Date: 1/9/04
Title: Light Emitting Device

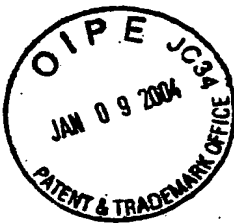
Papers Filed Herewith:

44 Pages Specification, Claims and Abstract 36 Total Claims 13 Independent Claims

23 Sheets ☐ Formal Drawings ☒ Informal Drawings ☐ Priority Document(s)
☒ Patent Application Transmittal Sheet ☒ Declaration/Power of Attorney *Unexecuted*
☐ IDS ☐ 1449 Form w/ ☐ Documents ☐ Assignment ☐ Recordation Cover ☐
 Other _____

Other _____

Fees Filed Herewith: \$ _____ ☐ Check ☐ Charge Deposit Account: _____



HIR.086
Smm/kas

**New Application Post Card Filing Receipt and
Request for Early Notification of Serial Number**

Attorney's Docket Number: PTGF-03104 ☒ Patent ☐ Trademark
Applicant's Name: Kato et al Application Filing Date: 1/19/04
Title: Light Emitting Device

Papers Filed Herewith:

44 Pages Specification, Claims and Abstract 36 Total Claims 13 Independent Claims

23 Sheets ☐ Formal Drawings ☒ Informal Drawings ☐ Priority Document(s)
☒ Patent Application Transmittal Sheet ☒ Declaration/Power of Attorney
☐ IDS ☐ 1449 Form w/ ☐ Documents ☐ Assignment ☐ Recordation Cover ☐
 Other _____

Fees Filed Herewith: \$ ☐ Check ☐ Charge Deposit Account:

Attorney's Post Card Filing Receipt
Serial Number: 101753,870 Papers Filed On: 9/24/04

Attorney's Docket Number: PTLF-03104 ☒ Patent ☐ Trademark

Applicant's Name: Kato et al. Application Filing Date: 1/9/04
Papers Filed Herewith:

- ☐ Amendment ☐ Request for Extension of Time ☐ CPA Request
☐ Notice of Appeal ☐ Appeal Brief (in triplicate) ☐ Reply Brief
☐ IDS ☐ 1449 Form w/ ___ Documents ☐ Priority Document(s)
☐ Assignment ☐ Recordation Cover Sheet ☐ Formal Drawings
☐ Drawing Corrections ☐ Issue Fee Transmittal ☐ Missing Parts
☒ Other 2nd Request for NOMP + OFR

Fees Filed Herewith: \$ _____ ☐ Check ☐ Charge Deposit Account: _____

Attorney's Post Card Filing Receipt
Serial Number: 101753,870 Papers Filed On: 9/24/04 Delivered

Attorney's Docket Number: PTLF-03104 ☒ Patent ☐ Trademark

Applicant's Name: Kato et al. Application Filing Date: 1/9/04
Papers Filed Herewith:

- ☐ Amendment ☐ Request for Extension of Time ☐ CPA Request
☐ Notice of Appeal ☐ Appeal Brief (in triplicate) ☐ Reply Brief
☐ IDS ☐ 1449 Form w/ ___ Documents ☐ Priority Document(s)
☐ Assignment ☐ Recordation Cover Sheet ☐ Formal Drawings
☐ Drawing Corrections ☐ Issue Fee Transmittal ☐ Missing Parts
☒ Other 2nd Request for NOMP + OFR

Fees Filed Herewith: \$ _____ ☐ Check ☐ Charge Deposit Account: _____

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Docket No. PTGF-03104
HIR.086

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Hideaki Kato et al.

Serial No.: 10/753,870

Group Art Unit: Unknown

Filing Date: January 9, 2004

Examiner: Unknown

For: LIGHT EMITTING DEVICE

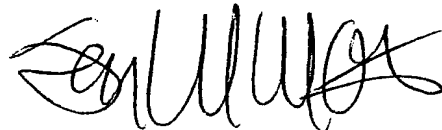
Honorable Commissioner of Patents
Alexandria, Virginia 22313-1450

**SECOND REQUEST FOR NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION AND OFFICIAL FILING RECEIPT**

Sir:

Applicants respectfully request copies of the Notice to File Missing Parts of Nonprovisional Application and Official Filing Receipt in the above-identified application. As of this date, Applicants have not received copies of the Notice to File Missing Parts of Nonprovisional Application and Official Filing Receipt for this application which was filed on January 9, 2004. A copy of the date-stamped post card receipt is attached.

Respectfully submitted,



Sean M. McGinn
Registration No. 34,386

Date:

9/24/04

McGinn & Gibb, PLLC
Intellectual Property Law
8321 Old Courthouse Road, Suite 200
Vienna, Virginia 22182-3817
(703) 761-4100
Customer No. 21254

H1R.086
Smmlhas

New Application Post Card Filing Receipt and
Request for Early Notification of Serial Number

Attorney's Docket Number: PTGF-03/04 ☒ Patent ☐ Trademark
Applicant's Name: Kafocetal Application Filing Date: 1/19/04

Title: Light Emitting Device

Papers Filed Herewith:

44 Pages Specification, Claims and Abstract 36 Total Claims 13 Independent Claims

23 Sheets ☐ Formal Drawings ☒ Informal Drawings ☐ Priority Document(s)
☒ Patent Application Transmittal Sheet ☒ Declaration/Power of Attorney Unexecuted
☐ IDS ☐ 1449 Form w/ Documents ☐ Assignment ☐ Recordation Cover ☐
Other

Fees Filed Herewith: \$ ☐ Check ☐ Charge Deposit Account:



H1R.086
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Other

Fees Filed Herewith: \$

HIK. 086
smmikas

Serial Number: 10753,870

Attorney's Post Card Filing Receipt

Papers Filed On: 11/5/04

Attorney's Docket Number: PT6F-03104 ☒ Patent

☐ Trademark

Applicant's Name: Kato et al Application Filing Date: 1/9/04

Papers Filed Herewith:

☐ Amendment

☐ Request for Extension of Time

☐ CPA Request

☐ Notice of Appeal

☐ Appeal Brief (in triplicate)

☐ Reply Brief

☐ IDS

☐ 1449 Form w/ ___ Documents

☐ Priority Document(s)

☐ Assignment

☐ Recordation Cover Sheet

☐ Formal Drawings

☐ Drawing Corrections

☐ Issue Fee Transmittal

☐ Missing Parts

☒ Other 3rd Request for NOMP + OFR

Fees Filed Herewith: \$ _____ ☐ Check ☐ Charge Deposit Account: _____

HIK. 086
smmikas

Serial Number: 10753,870

Attorney's Post Card Filing Receipt

Papers Filed On: 11/5/04

Attorney's Docket Number: PT6F-03104 ☒ Patent

☐ Trademark

Applicant's Name: Kato et al Application Filing Date: 1/9/04

Papers Filed Herewith:

☐ Amendment

☐ Request for Extension of Time

☐ CPA Request

☐ Notice of Appeal

☐ Appeal Brief (in triplicate)

☐ Reply Brief

☐ IDS

☐ 1449 Form w/ ___ Documents

☐ Priority Document(s)

☐ Assignment

☐ Recordation Cover Sheet

☐ Formal Drawings

☐ Drawing Corrections

☐ Issue Fee Transmittal

☐ Missing Parts

☒ Other 3rd Request for NOMP + OFR

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Hand Delivered

Docket No. PTGF-03104
HIR.086

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Hideaki Kato et al.

Serial No.: 10/753,870

Group Art Unit: Unknown

Filing Date: January 9, 2004

Examiner: Unknown

For: LIGHT EMITTING DEVICE

Honorable Commissioner of Patents
Alexandria, Virginia 22313-1450

**THIRD REQUEST FOR NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
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Sean M. McGinn
Registration No. 34,386

Date: 11/5/04

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H1R.086
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New Application Post Card Filing Receipt and
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Attorney's Docket Number: PTGF-03/04 ☒ Patent ☐ Trademark
Applicant's Name: Kafoetal Application Filing Date: 1/1/04

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Attorney's Docket Number: PTGF-03/04 ☒ Patent ☐ Trademark
Applicant's Name: Kafoetal Application Filing Date: 1/1/04

Title: Light Emitting Device

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Other



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PATENT APPLICATION INFORMATION RETRIEVAL

Search results as of: 1-14-2005:12:2:11 E.T.

Search results for application number: 10/753,870			
Application Number:	10/753,870	Customer Number:	21254
Filing or 371(c) Date:	01-09-2004	Status:	Abandoned -- Incomplete Application (Pre-examination)
Application Type:	Utility	Status Date:	01-12-2005
Examiner Name:	-	Location:	ELECTRONIC
Group Art Unit:	2879	Location Date:	-
Confirmation Number:	6111	Earliest Publication No:	-
Attorney Docket Number:	PTGF-03104	Earliest Publication Date:	-
Class/ Sub-Class:	313/-	Patent Number:	-
First Named Inventor:	Hideaki Kato, Aichi-ken, (JP)	Issue Date of Patent:	-
Title Of Invention:	Light emitting device		

Search Options

<input type="checkbox"/> Foreign Priority
<input type="checkbox"/> Image File Wrapper

File History

Date	Contents Description
06-23-2004	Abandonment -- During Preexam Processing
09-17-2004	Correspondence Address Change
04-22-2004	Notice Mailed--Application Incomplete--Filing Date Assigned
03-16-2004	Cleared by L&R (LARS)

03-02-2004	Referred to Level 2 (LARS) by OIPE CSR
01-23-2004	IFW Scan & PACR Auto Security Review
01-09-2004	Initial Exam Team nn



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/753,870	01/09/2004	Hideaki Kato	PTGF-03104

21254
 MCGINN & GIBB, PLLC
 8321 OLD COURTHOUSE ROAD
 SUITE 200
 VIENNA, VA 22182-3817

CONFIRMATION NO. 6111

FORMALITIES LETTER

OC000000012413520

Date Mailed: 04/21/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1148** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$2048** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$1148**

- \$860 for 10 independent claims over 3.
- \$288 for 16 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

11/05/2004	<u>Foreign Priority Papers Filed</u>	PROSECUTION	34	<input type="checkbox"/>
11/05/2004	<u>Information Disclosure Statement</u>	PROSECUTION	3	<input type="checkbox"/>
11/05/2004	<u>Foreign Reference</u>	PROSECUTION	10	<input type="checkbox"/>
07/26/2004	<u>Miscellaneous Incoming Letter</u>	PROSECUTION	2	<input type="checkbox"/>
04/21/2004	<u>Pre-Exam Formalities Notice</u>	PROSECUTION	2	<input type="checkbox"/>
01/09/2004	<u>Claim</u>	PROSECUTION	10	<input type="checkbox"/>
01/09/2004	<u>Abstract</u>	PROSECUTION	1	<input type="checkbox"/>
01/09/2004	<u>Drawings</u>	PROSECUTION	23	<input type="checkbox"/>
01/09/2004	<u>Oath or Declaration filed</u>	PROSECUTION	2	<input type="checkbox"/>
01/09/2004	<u>Transmittal of New Application</u>	PROSECUTION	4	<input type="checkbox"/>
01/09/2004	<u>Fee Worksheet (PTO-875)</u>	PROSECUTION	1	<input type="checkbox"/>
01/09/2004	<u>Specification</u>	PROSECUTION	34	<input type="checkbox"/>

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Docket No. PTGF-03104
HR.086



IRW

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In re patent application of

Hideaki Kato et al.

Serial No.: 10/753,870

Group Art Unit: Unknown

Filing Date: January 9, 2004

Examiner: Unknown

For: LIGHT EMITTING DEVICE

Honorable Commissioner of Patents
Alexandria, Virginia 22313-1450

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Respectfully submitted,

Sean M. McGinn
Registration No. 34,386

Date: 7/26/04
McGinn & Gibb, PLLC
Intellectual Property Law
8321 Old Courthouse Road, Suite 200
Vienna, Virginia 22182-3817
(703) 761-4100
Customer No. 21254

HIR.086
Smm/has



New Application Post Card Filing Receipt and
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Other

Fees Filed Herewith: \$ ☐ Check ☐ Charge Deposit Account:



HIR.086
Smm/has

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Attorney's Docket Number: PTGF-03/04 ☒ Patent ☐ Trademark
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HIR.086



17W

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Hideaki Kato et al.

Serial No.: 10/753,870

Group Art Unit: Unknown

Filing Date: January 9, 2004

Examiner: Unknown

For: LIGHT EMITTING DEVICE

Honorable Commissioner of Patents
Alexandria, Virginia 22313-1450

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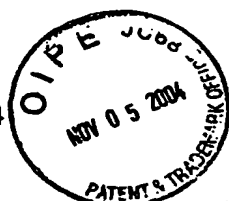
Sean M. McGinn
Registration No. 34,386

Date:

11/5/04
McGinn & Gibb, PLLC
Intellectual Property Law
8321 Old Courthouse Road, Suite 200
Vienna, Virginia 22182-3817
(703) 761-4100
Customer No. 21254

IPW

Docket No. PTGF-03104
HIR.086



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Hideaki Kato et al.

Serial No.: 10/753,870

Group Art Unit: Not Yet Assigned

Filing Date: January 9, 2004

Examiner: Unknown

For: LIGHT EMITTING DEVICE

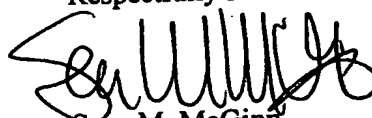
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF FORMAL DRAWINGS

Sir:

Submitted herewith are twenty three (23) sheets of formal drawings comprising figures 1-23 for the above-identified patent application. Please substitute these formal drawings for the drawings which were filed with the application. Approval and acknowledgment of receipt are respectfully requested.

Respectfully submitted,


Sean M. McGinn
Registration No. 34,386

Date: 11/5/04
McGinn & Gibb, PLLC
Intellectual Property Law
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Hideaki KATO, et al.

Serial No.: 10/753,870

Group Art Unit: 2879

Filed: January 9, 204

Examiner: Not Yet Assigned

For: LIGHT EMITTING DEVICE

Honorable Commissioner of Patents
Alexandria, Virginia 22313-1450

SUBMISSION OF DECLARATION

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application (copy attached as Exhibit 6 to the Petition to Revive), dated April 21, 2004, submitted herewith is the signed declaration for the above-identified patent application, along with our check in the amount of \$3,730 to cover the \$770 application fee, \$2,830 excess claims fee, and \$130 surcharge for the late filing of the declaration.

Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0481.

Respectfully submitted,



Sean M. McGinn

Registration No. 34,386

Date:

3/11/05

McGinn & Gibb, PLLC

Intellectual Property Law

8321 Old Courthouse Road, Suite 200

Vienna, Virginia 22182-3817

(703) 761-4100

Customer No. 21254

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